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DICKSTEIN SHAPIRO LLP 1825 EYE STREET NW Washington, DC 20006-5403			HASHEM, LISA	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/930,229	Applicant(s) FORBES, LEONARD	
	Examiner Lisa Hashem	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,9-13,22,24-36,38-43 and 55-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-6, 9-13, 22, 24-36, 38-43, and 55-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 27 recites the limitation "said any of a plurality of other processing systems transmitter/receiver" in. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3-6, 9, 12, 13, and 54 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent Application No. US 2001/0049262 by Lehtonen.

Regarding claim 1, Lehtonen discloses a portable wireless memory module (Fig. 3, 21) for storing data, said module comprising (see Fig. 3, 21):

a power supply unit (section 0019, lines 3-8; Fig. 2, 26; section 0032, lines 1-9);

a transmitter/receiver circuit (Fig. 3, BT2) for

(i) wirelessly receiving data and commands communicated to said module from a processing system (Fig. 3, 22) and

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(ii) wirelessly transmitting stored data from said module (Fig. 3: 21), said wireless reception and transmission using radio waves (section 0027, lines 5-9; section 0031, lines 8-11; section 0032, lines 1-4);

at least one memory device or memory card for storing said data received by and sent from said transmitter/receiver circuit; and

a controller (Fig. 3: MCU) in communication with said at least one memory device and said transmitter/receiver circuit for storing data in said memory device received by said transmitter/receiver circuit and for retrieving stored data from said memory device for transmission by said transmitter/receiver circuit from said module (section 0014, lines 1-13; section 0016, lines 1-14; section 0019, lines 1-23; section 0030, line 1 - section 0031, line 13), in such a way that the memory module functions like an extra hard drive on said processor system (section 0019, lines 10-23; section 0051, line 1 – section 0053, line 4).

Regarding claim 3, a memory module according to claim 1, wherein Lehtonen further discloses a frequency of said radio waves is in the range of about 900 MHz to about 10 GHz (section 0032, lines 1-4).

Regarding claim 4, a memory module according to claim 1, wherein Lehtonen further discloses said radio waves are BluetoothTM compliant radio waves (section 0027, lines 5-9; section 0032, lines 1-4).

Regarding claim 5, a memory module according to claim 1, wherein Lehtonen further discloses said transmitter/receiver automatically establishes a radio wave communications path with a processing system (Fig. 2, 22) when within a vicinity of the processing system which is

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sufficient to establish a wireless communications path (section 0031, line 6 – section 0032, line 7; section 0040, lines 1-9).

Regarding claim 6, a memory module according to claim 3, wherein Lehtonen further discloses said frequency is about 2.4 GHz (section 0032, lines 1-4).

Regarding claim 9, a memory module according to claim 8, wherein Lehtonen further discloses said power supply unit comprises at least one battery (section 0019, lines 3-8; section 0032, lines 7-9).

Regarding claim 12, a memory module according to claim 1, wherein Lehtonen further discloses said memory device inherently comprises a dynamic random access memory device or memory card (page 1, section 0014, lines 1-8).

Regarding claim 13, a memory module according to claim 1, wherein Lehtonen further discloses said memory device inherently comprises a flash memory or fixed memory device (section 0014, lines 1-8).

Regarding claim 54, a memory module according to claim 1, wherein Lehtonen further discloses said data comprises data files (section 0016, lines 1-14; section 0019, lines 16-19; section 0031, lines 5-6).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable by Lehtonen, as applied to claim 1, and in further view of Mashiko.

Regarding claim 10, a memory module according to claim 9, wherein Lehtonen does not disclose said at least one battery is rechargeable.

Mashiko discloses a portable wireless memory module (Fig. 5, 4) for storing data, said module consisting essentially of: a power supply unit (Fig. 5, 45); a transmitter/receiver circuit (Fig. 5, 21) for (i) wirelessly receiving data and commands communicated to said module from a processing system (Fig. 5, 7) and (ii) wirelessly transmitting stored data from said module; at least one memory device (Fig. 5, 3) for storing said data received by and sent from said transmitter/receiver circuit; and a controller (Fig. 5, 2) in communication with said at least one memory device and said transmitter/receiver circuit for storing data in said memory device received by said transmitter/receiver circuit and for retrieving stored data from said memory device for transmission by said transmitter/receiver circuit from said module (col. 12, line 52 – col. 13, line 42). Wherein Mashiko further discloses said at least one battery is rechargeable (Fig. 5, 45).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the memory module of Lehtonen to include a rechargeable battery as taught by Mashiko. One of ordinary skill in the art would have been lead to make such a modification since the power supply unit of the portable memory module can be recharged.

Regarding claim 11, a memory module according to claim 10, wherein Mashiko further discloses said power supply unit further comprising terminals for communicating with a recharger for recharging said at least one rechargeable battery (col. 13, lines 8-13).

7. Claims 22, 24-28, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable by Lehtonen, in view of Mashiko.

Regarding claim 22, Lehtonen discloses a system for the wireless transfer of data (see Abstract; Fig. 3), said wireless data transfer system comprising:

(a) a first processor system or mobile telephone (Fig. 3, 22) comprising:

at least one first processor system memory device (Fig. 3, 22: MEM);

a first processor system transmitter/receiver circuit for

(i) wirelessly receiving data communicated to said first processor system (Fig. 3, 22: BT) and (ii) wirelessly transmitting data and commands from said first processor system; and

a first processor system controller (Fig. 3, 22: MPU) in communication with said at least one first processor system memory device and said first processor system transmitter/receiver circuit for storing data in said memory device received by said transmitter/receiver circuit (section 0041, lines 4-13) from said first processor system and for retrieving data from said memory device for transmission by said transmitter/receiver from said first processor system (section 0027, lines 1-9; section 0035, lines 1-10; section 0041, lines 4-13); and

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(b) a portable memory module or headset (Fig. 3, 21),

providing memory storage for said first processing system (section 0014, lines 1-13; section 0019, lines 1-23),

the portable memory module comprising:

at least one memory module memory device or memory card for storing data;

a memory module transmitter/receiver circuit (Fig. 3, 21: BT2) for

(i) wirelessly receiving data to be stored and commands communicated to said module from said first processor system and

(ii) wirelessly transmitting stored data from said module (section 0014, lines 1-13; section 0016, lines 1-14; section 0019, lines 1-23; section 0031, line 1 – section 0032, line 4); and

a memory module controller (Fig. 3, 21: MCU) in communication with said at least one memory module memory device and said memory module transmitter/receiver circuit for storing data in said portable memory module memory device received by said portable memory module transmitter/receiver circuit from said first processor system and for retrieving stored data received from said first processor system from said portable memory module memory device for transmission by said portable memory module from said module to any of a plurality of other processing systems (e.g. earphones, separate display, wrist TV) (section 0041, lines 1-13; section 0030, lines 1-6; section 0050, lines 1-15).

Lehtonen discloses transmitting to any of a plurality of other processing systems.

However, Lehtonen does not disclose for transmission by said portable memory module transmitter/receiver circuit to any of a plurality of other processing systems.

Mashiko discloses a method of data transfer (see Abstract),

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said method comprising: transmitting stored data (Fig. 3, 17) from a memory module (Fig. 3, 6) to any of a plurality of other processing systems (Fig. 3: 1A, 1B) (col. 9, line 53 – col. 10, line 42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lehtonen to include transmission by said transmitter/receiving circuit from said module to any of a plurality of other processing systems as taught by Mashiko. One of ordinary skill in the art would have been lead to make such a modification to facilitate the transfer of data between various processor systems.

Regarding claim 24, a system for the wireless transfer of data according to claim 22, wherein Lehtonen further discloses said wireless transmission and reception uses radio waves (section 0027, lines 1-9).

Regarding claim 25, a system for the wireless transfer of data according to claim 22, wherein Lehtonen further discloses said radio waves have a frequency in the range of about 900 MHz to about 10 GHz (section 0032, lines 1-4; section 0035, lines 19-22).

Regarding claim 26, a system for the wireless transfer of data according to claim 22, wherein Lehtonen further discloses said radio waves are BluetoothTM compliant radio waves (section 0027, lines 5-9; section 0032, lines 1-4; section 0035, lines 19-22).

Regarding claim 27, a system for the portable transfer of data according to claim 22, wherein Lehtonen further discloses said first processor system transmitter/receiver (Fig. 3, 22: BT), said memory module transmitter/receiver (Fig. 3, 21: BT2), and any of a plurality of other processing systems transmitter/receiver (e.g. a base station) (section 0035, lines 1-23) automatically establish a radio wave communications path between said memory module and

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either of said first or said any of a plurality of other processor systems (via the first processor system) when in a vicinity of another transmitter/receiver which transmits or receives data (section 0027, lines 1-9; section 0035, lines 1-23; section 0041, lines 1-13; section 0045, lines 4-19).

Regarding claim 28, a system for the wireless transfer of data according to claim 22, wherein Lehtonen further discloses said frequency is about 2.4 GHz (section 0032, lines 1-4; section 0035, lines 19-22).

Regarding claim 35, a system for the wireless transfer of data according to claim 22, wherein Mashiko further discloses said wireless transmission and reception uses light waves (col. 12, line 66 – col. 13, line 2; col. 13, lines 18-42).

8. Claims 29-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lehtonen in view of Mashiko as applied to claim 22 above, and in further view of U.S. Patent Application Publication No. 2002/0078248 by Janik.

Regarding claim 29, a system for wireless transfer of data according to claim 22, wherein Mashiko further discloses said memory module further comprising an electrical power supply unit at said module for providing operating power to electrical components at said processing system (col. 10, lines 9-14).

Lehtonen in view of Mashiko do not disclose said memory module comprising a self-contained electrical power supply unit for providing operating power at said module.

Janik discloses a wireless portable memory module system (see Fig. 8) comprising: a recharger or cradle with battery charger (Fig. 1, 54; Fig. 8, 56) for detachably receiving and recharging thereat a portable memory module (wireless LAN adapter module (Fig. 2, 14)

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attached to a PDA (Fig. 2, 2)) having a rechargeable power supply unit (Fig. 8, 86) (section 0043, lines 1-7); and said portable memory module or wireless LAN adapter module (Fig. 2, 14) comprising: a memory device for storing data (Fig. 8: 106, 114); a transmitter/receiver or wireless LAN transceiver (Fig. 8, 78) for wirelessly exchanging data with a processor system (for example, a PC) (section 0006, lines 1-5; section 0041, lines 1-10); a controller or microprocessor (Fig. 8, 90) coupled to said transmitter/receiver for receiving data and storing said received data in said memory device and for retrieving stored data from said memory device for transmitting said stored data from said memory module (section 0027, lines 1-6; section 0038, lines 1-4; section 0041, lines 1-10); and a rechargeable power supply unit (Fig. 8, 86) (section 0043, lines 1-7).

Janik further discloses said memory module further comprising a self-contained electrical power supply unit or battery (Fig. 8, 86) at said module for providing operating power to electrical components at said module (section 0043, line 1 – section 0044, line 12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lehtonen in view of Mashiko to include a power supply unit as taught by Janik. One of ordinary skill in the art would have been lead to make such a modification since the memory module comprises a battery that provides operating power to the memory module.

Regarding claim 30, a system for the wireless transfer of data according to claim 29, wherein Janik further discloses said power supply unit comprises at least one battery (Fig. 8, 86)

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Regarding claim 31, a system for the wireless transfer of data according to claim 30, wherein Janik further discloses said at least one battery is rechargeable (section 0043, line 1 – section 0044, line 12).

Regarding claim 32, a system for the wireless transfer of data according to claim 31, wherein Janik further discloses said power supply unit further comprising terminals (Fig. 1, 138) for communicating with a recharger (Fig. 1, 54) for recharging said at least one rechargeable battery (section 0043, line 1 - section 0044, line 12).

Regarding claim 33, a system for the wireless transfer of data according to claim 32, wherein Janik further discloses said recharger is a stand-alone recharger (Fig. 1, 54).

Regarding claim 34, a system for the wireless transfer of data according to claim 32, wherein Janik further discloses said first processor system (for example, a PC) comprises said recharger (section 0006, lines 1-5).

9. Claims 36, 38-43, 55-60, and 67-71 are rejected under 35 U.S.C. 103(a) as being unpatentable by Lehtonen in view of Mashiko.

Regarding claim 36, Lehtonen discloses a method of wireless data transfer (see Abstract), said method comprising:

wirelessly transmitting data from a first processor system (e.g. Internet, communications

network), to a portable memory module or mobile telephone (Fig. 3, 22);

receiving with said portable memory module said data transmitted from the first processor system and

storing said received data at said memory module (Fig. 3, 22: MEM) (section 0041, lines 1-13);

and

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wirelessly transmitting stored data previously received from said first processor system from said portable memory module to other processing systems (e.g. headset, earphones, separate display, wrist TV; Fig. 3, 21) (section 0014, lines 1-13; section 0016, lines 1-14; section 0019, lines 1-23; section 0027, lines 1-9; section 0031, line 1 – section 0032, line 4; section 0035, lines 1-23; section 0045, lines 4-19; section 0050, lines 1-15).

Lehtonen discloses wirelessly transmitting to a headset that includes other processing systems. However, Lehtonen does not disclose communicating transmitting stored data from said portable memory module to any of a plurality of other processing systems.

Mashiko discloses a method of data transfer (see Abstract), said method comprising:
transmitting stored data (Fig. 3, 17) from a portable memory module (Fig. 3, 6; Fig. 5, 7) to any of a plurality of other processing systems (Fig. 3: 1A, 1B; Fig. 5, 4) (col. 9, line 53 – col. 10, line 42; col. 12, line 52 – col. 13, line 42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Lehtonen to include transmitting stored data from said portable memory module to any of a plurality of other processing systems as taught by Mashiko. One of ordinary skill in the art would have been lead to make such a modification to facilitate the transfer of data between various processor systems.

Regarding claim 38, a method according to claim 36, wherein Lehtonen further discloses said wireless transmission and reception uses radio waves (section 0031, line 1 – section 0032, line 4; section 0035, lines 1-14).

Regarding claim 39, a method according to claim 38, wherein Lehtonen further discloses said radio waves have a frequency in the range of about 900 MHz to about 10 GHz (section 0032, lines 1-4; section 0035, lines 19-22).

Regarding claim 40, a method according to claim 38, wherein Lehtonen further discloses said radio waves are BluetoothTM compliant radio waves (section 0027, lines 5-9; section 0032, lines 1-4; section 0035, lines 19-22).

Regarding claim 41, a method according to claim 36, wherein Mashiko further discloses automatically establishing a radio wave communications path between said portable memory module (Fig. 5, 7) and said first processor system (Fig. 5, 4) when said portable memory module and said first processor system are within a sufficiently close vicinity of one another to establish a wireless communications path (Fig. 5; col. 12, line 52 – col. 13, line 42).

Regarding claim 42, a method according to claim 36, wherein Lehtonen further discloses said frequency is about 2.4 GHz (section 0032, lines 1-4; section 0035, lines 19-22).

Regarding claim 43, a method according to claim 36, wherein Mashiko further discloses said wireless transmission and reception uses light waves (col. 12, line 66 – col. 13, line 2; col. 13, lines 18-42).

Regarding claim 55, Lehtonen discloses a wireless portable memory module system comprising:

a portable memory module comprising:

a memory device (memory card) for storing data (section 0016, lines 1-14; section 0019, lines 16-23; section 0031, lines 1-13);

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a transmitter/receiver (Fig. 3, BT2) for wirelessly exchanging data with a processor system (Fig. 3, 22) using radio waves (section 0027, lines 5-9; section 0031, lines 8-11; section 0032, lines 1-4);

a controller (MCU) coupled to said transmitter/receiver for receiving data and storing said received data in said memory device and for retrieving stored data from said memory device for transmitting said stored data from said memory module (section 0014, lines 1-13; section 0016, lines 1-14; section 0019, lines 1-23; section 0030, line 1 - section 0031, line 13) in such a way that the memory module functions like an extra hard drive on said processor system (section 0019, lines 10-23; section 0051, line 1 – section 0053, line 4);

and a power supply (battery) (section 0019, lines 3-8; Fig. 2, 26; section 0032, lines 1-9).

Lehtonen discloses a wireless portable memory module system. However, Lehtonen does not disclose a wireless portable memory module system comprising: a recharger and a rechargeable power supply.

Mashiko discloses a wireless portable memory module system comprising:
a recharger (Fig. 5, 7) for detachably receiving and recharging thereat a portable memory module (Fig. 5, 4) having a rechargeable power supply (Fig. 5, 52) (col. 7, lines 41-51);
and said portable memory module consisting essentially of:
a memory device (Fig. 5, 3) for storing data;
a transmitter/receiver (Fig. 5: 31, 33, 37) for wirelessly exchanging data using radio waves (col. 1, lines 11-38; col. 7, lines 7-31; col. 12, lines 54-65);
a transmitter/receiver (Fig. 5, 21) for wirelessly exchanging data with a processor system (Fig. 5, 7) using infrared waves (col. 12, line 52 – col. 13, line 42);

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a controller (Fig. 5, 2) coupled to said transmitter/receiver for receiving data and storing said received data in said memory device and for retrieving stored data from said memory device for transmitting said stored data from said memory module;
and a rechargeable power supply (Fig. 5, 45) (col. 12, line 52 – col. 13, line 42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lehtonen to include a recharger and a rechargeable power supply as taught by Mashiko. One of ordinary skill in the art would have been lead to make such a modification to improve portability of a wireless portable memory module by having a rechargeable power supply that can be easily replenished by a recharger.

Regarding claim 56, the system of claim 55, wherein Mashiko further discloses said recharger is a stand-alone recharging station (Fig. 5, 7).

Regarding claim 57, the system of claim 55, wherein Mashiko further discloses said recharger is part of a processing system (Fig. 5, 7).

Regarding claim 58, the system of claim 55, wherein Mashiko further discloses said rechargeable power supply is a battery (Fig. 5, 45) and said recharger is a battery charger (Fig. 5, 7).

Regarding claim 59, the system of claim 55, wherein Mashiko further discloses the recharger comprises a plug for receiving and connecting to said portable memory module (col. 13, lines 8-13 and lines 18-26).

Regarding claim 60, the system of claim 59, wherein Mashiko further discloses said portable memory module further comprises at least one terminal at said rechargeable power supply for connection with said plug (col. 13, lines 8-13 and lines 18-26).

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Regarding claims 67-71, please see the rejections of claims 36, 38, 39, 40, and 41, respectively, to reject claims 67-71.

10. Claims 61-66 are rejected under 35 U.S.C. 103(a) as being unpatentable by Lehtonen in further view of U.S. Patent No. 6,622,031 by McCleary.

Regarding claim 61, Lehtonen discloses a portable wireless computer storage device (Fig. 3, 21) comprising: a transmitter/receiver circuit (Fig.3, BT2) for directly and wirelessly receiving data storage commands and data for storage from a mobile telephone (Fig. 3, 22) and for directly and wirelessly transmitting stored data to a mobile telephone (section 0027, lines 5-9; section 0031, lines 8-11; section 0032, lines 1-4); at least one memory device or memory card for storing data; and a controller (Fig. 3, MCU) in communication with said transmitter/receiver circuit and said at least one memory device for storing in said memory device data received from a mobile telephone in response to a command and for retrieving stored data from said memory device for transmission to a mobile telephone in response to a command from a mobile telephone (section 0014, lines 1-13; section 0016, lines 1-14; section 0019, lines 1-23; section 0030, line 1 - section 0031, line 13) in such a way that the at least one memory module functions like an extra hard drive on said mobile telephone (section 0019, lines 10-23; section 0051, line 1 – section 0053, line 4).

Lehtonen discloses a portable wireless computer storage device that wirelessly transmits and receives data with a mobile telephone. However, Lehtonen does not disclose said storage device transmitting and receiving data with a general purpose computer.

McCleary discloses a portable wireless computer storage device (Fig. 1B, 100) comprising:

a transmitter/receiver circuit (Fig. 5, 108) for directly and wirelessly receiving data for storage (e.g. information) from a general purpose computer (Fig. 1B: 56, 58) and for directly and wirelessly transmitting stored data (e.g. information) to a general purpose computer;

at least one memory device for storing data (Fig. 5: 102, 103); and

a controller (Fig. 5, 101) in communication with said transmitter/receiver circuit and said at least one memory device for storing in said memory device data received from a general purpose computer and for retrieving stored data from said memory device for transmission to a general purpose computer (col. 3, lines 34-45; col. 4, lines 36-42; col. 5, line 49 – col. 6, line 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the portable wireless computer storage device of Lehtonen to include the storage device communicating with a general purpose computer as taught by McCleary. One of ordinary skill in the art would have been lead to make such a modification in order to wirelessly transmit and receive data that can be used with applications that execute on a general purpose computer.

Regarding claim 62, a portable wireless computer storage device according to claim 61, wherein McCleary further discloses said wireless transmission and reception uses BluetoothTM compliant radio waves (col. 6, line 48 – col. 5, line 50).

Regarding claim 63, a portable wireless computer storage device according to claim 61, wherein McCleary further discloses said general purpose computer is one of a laptop computer or a desktop computer (Fig. 5: 102, 103; col. 4, lines 36-42).

Regarding claim 64, a portable wireless computer storage device according to claim 61, wherein McCleary further discloses said at least one memory device comprises a dynamic random access memory device (volatile memory) (col. 5, lines 49-59).

Regarding claim 65, a portable wireless computer storage device according to claim 61, wherein McCleary further discloses said at least one memory device comprises a flash memory device (nonvolatile memory) (col. 5, lines 49-59).

Regarding claim 66, a portable wireless computer storage device according to claim 61, wherein McCleary further discloses said portable wireless computer storage device is adapted to wirelessly transmit retrieved, stored data from said at least one memory device to any of a plurality of general purpose computers (Fig. 5: 102, 103; col. 4, lines 36-42; col. 5, line 48 – col. 6, line 50).

Response to Arguments

11. Applicant's arguments in the RCE filed 7-27-2006 in regards to claims 1, 3-6, 9-13, and 54 have been fully considered but they are not persuasive.

Regarding Applicant's arguments that Lehtonen does not disclose '... "a controller" that functions in such a way that the memory module functions like an extra hard drive...'. Examiner disagrees. Lehtonen clearly discloses that the portable wireless memory module or headset (Fig. 3, 21) that includes a controller (Fig. 3, 21: MCU) functions as an extra hard drive to facilitate the transfer of data (section 0019, lines 10-23). The headset functions to transmit and receive data from the mobile telephone or first processor system. The headset stores data that can be retrieved by the mobile telephone (section 0027, lines 5-9; section 0031, lines 8-11; section 0032, lines 1-4; section 0051, line 1 – section 0053, line 4).

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In conclusion, Lehtonen clearly discloses the new limitation.

12. Applicant's arguments with respect to claims 22, 24-35, 36, 38-43, and 55-71 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

14. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.


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16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

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August 18, 2006


FAN TSANG
SUPERVISORY PATENT EXAMINER
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